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ACTION DRL-09

RELEASED IN FULL

INFO	LOG-00	AF-01	AID-01	AMAD-01	ARA-01	CIAE-00	SMEC-00
	OASY-00	DODE-00	EAP-01	EB-01	EUR-01	OIGO-01	H-01
	TEDE-00	INR-00	IO-16	L-01	ADS-00	NEA-01	NSAE-00
	NSCE-00	OIC-02	OMB-01	PA-02	PM-00	PRS-01	P-01
	SNP-00	SP-00	SR-00	SS-00	STR-01	TRSE-00	T-00
	USIE-00	SA-01	PMB-00	PRM-10	PRME-01	G-00	/056W

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P 250808Z AUG 94  
FM USMISSION GENEVA  
TO SECSTATE WASHDC PRIORITY 2888  
RWANDA COLLECTIVE PRIORITY 0059

UNCLAS SECTION 01 OF 03 GENEVA 07398

DEPT. FOR DRL - A/S SHATTUCK, IO - A/S BENNET AND LEGAL  
ADVISER HARPER, USUN/W SCHEFFER

E.O. 12356: N/A  
TAGS: PHUM, UNHRC, PREF, PREL, RW, UNSC  
SUBJECT: RWANDA: BRIEFING BY COMMISSION OF EXPERTS -  
AUG. 23, 1994

REF: (A) GENEVA 7233; (B) GENEVA 7245;  
(C) CROOK-NIX TELCON 8/23; (D) CROOK-STANTON TELCON 8/24

1. BEGIN SUMMARY. RWANDA COMMISSION OF EXPERTS WILL  
ISSUE AN INTERIM REPORT IN A MONTH FOLLOWING TRAVEL TO  
RWANDA AND NEIGHBORING COUNTRIES AUGUST 27-SEPTEMBER

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13. THE COMMISSION MET WITH GENEVA REPS OF OVER 20  
COUNTRIES AUGUST 23 SEEKING FORENSIC AND CRIMINAL  
INVESTIGATORS AND 100 SECURITY PERSONNEL TO CARRY OUT  
FIELD INVESTIGATIONS FROM MID-SEPTEMBER TO MID-OCTOBER.  
THEY WILL CIRCULATE THIS WEEK A DOCUMENT DETAILING THEIR  
REQUESTS. WE URGE THAT THE UNITED STATES WORK TO  
PROVIDE PERSONNEL TO ASSIST THE COMMISSION. END SUMMARY.

DECIDES TO PREPARE INTERIM REPORT  
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UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: ARCHIE M BOLSTER  
DATE/CASE ID: 04 NOV 2011 201005065

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2. THE COMMISSION OF EXPERTS ISSUED A PRESS RELEASE AUGUST 22 DESCRIBING THEIR INITIAL MEETINGS AND STATING THAT THEY WILL ISSUE AN INTERIM REPORT IN A MONTH (TEXT AT PARA 18). MISSION WILL CONTINUE TO FOLLOW UP TO ASSURE THAT COMMISSION'S SEPTEMBER REPORT PROVIDES A USEFUL PREDICATE FOR SECURITY COUNCIL ACTION ON A TRIBUNAL.

#### COMMISSION'S PLANS

3. THE COMMISSION MET AUGUST 23 WITH REPRESENTATIVES OF OVER 20 GOVERNMENTS, MOSTLY WESTERN. CHAIRMAN AMEGA SAID THE COMMISSION WOULD MAKE ITS INITIAL VISIT TO RWANDA AND NEIGHBORING COUNTRIES (BURUNDI, ZAIRE AND TANZANIA) AUGUST 27-SEPTEMBER 13.

4. AMEGA CALLED ON CONCERNED GOVERNMENTS TO PROVIDE THE COMMISSION QUICKLY WITH 25 TRAINED MEDICAL INVESTIGATORS, CRIMINAL INVESTIGATORS AND 100 SECURITY PERSONNEL TO CARRY OUT FIELD INVESTIGATIONS UNDER COMMISSION DIRECTION.

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5. AMEGA FUMLED BADLY IN INTRODUCING THE MEETING AND DESCRIBING THE COMMISSION'S NEEDS. HE BEGAN BY ANNOUNCING THAT THE COMMISSION SOUGHT AND EXPECTED CONCRETE PLEDGES OF SUPPORT THAT AFTERNOON. THIS PRODUCED MUFFLED GASPS FROM SOME GOVERNMENT REPRESENTATIVES, AND GENERATED CONSIDERABLE CRITICISM OF AMEGA'S PRESENTATION IN THE CORRIDORS AFTERWARDS.

6. COMMISSIONER FOMBA AND COMMISSION SECRETARY BRUNA ABRAM CLARIFIED THAT THE COMMISSION HAD NOT YET PREPARED A PLAN FOR ITS INVESTIGATIONS. THEY WOULD DEVELOP ONE DURING THEIR INITIAL TRIP. BOTH STRESSED THE SHORT TIME AVAILABLE TO THE COMMISSION FOR ITS WORK, WITH ONLY FOUR MONTHS TO WRITE THEIR FINAL REPORT. ACCORDINGLY, SOON AFTER THEIR RETURN FROM RWANDA SEPTEMBER 13, THEY WOULD LAUNCH A MONTH'S INTENSIVE FIELD INVESTIGATIONS.

7. TO DO THESE, THEY NEEDED RAPID COMMITMENTS FROM GOVERNMENTS TO PROVIDE PEOPLE -- CRIMINAL INVESTIGATORS, FORENSIC INVESTIGATORS, AND SECURITY PERSONNEL -- TO CONDUCT FIELD INVESTIGATIONS FOR A MONTH BEGINNING IN MID-SEPTEMBER. ABRAM STRESSED THAT CONTRIBUTIONS OF

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PEOPLE, NOT MONEY, WERE NEEDED. SHE RECALLED THE LONG DELAY IN SETTING UP THE TRUST FUND FOR THE YUGOSLAV COMMISSION. THERE SIMPLY WASN'T TIME ENOUGH FOR SUCH DELAYS HERE.

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8. SEVERAL GOVERNMENTS PRESSED THE COMMISSION FOR A DOCUMENT SETTING OUT THEIR REQUIREMENTS, SCHEDULE AND BUDGET MORE CLEARLY. AMEGA AGREED TO CIRCULATE SUCH A

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DOCUMENT BEFORE THEIR DEPARTURE AUGUST 27.

9. IN RESPONSE TO A QUESTION FROM A NORDIC, AMEGA INDICATED THAT PERSONNEL MADE AVAILABLE TO THE COMMISSION WOULD NOT NECESSARILY HAVE TO SPEAK FRENCH.

10. U.S. REP SAID THE COMMISSION'S WORK WAS IMPORTANT. THE U.S. GOVERNMENT WOULD DO WHAT IT COULD TO SUPPORT IT. WE WELCOMED AMEGA'S UNDERTAKING TO PREPARE AND CIRCULATE A MORE PRECISE STATEMENT OF THEIR NEEDS THIS WEEK.

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FM USMISSION GENEVA  
TO SECSTATE WASHDC PRIORITY 2889  
RWANDA COLLECTIVE PRIORITY 0060

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UNCLAS SECTION 02 OF 03 GENEVA 07398

DEPT. FOR DRL - A/S SHATTUCK, IO - A/S BENNET AND LEGAL  
ADVISER HARPER, USUN/W SCHEFFER

E.O. 12356: N/A  
TAGS: PHUM, UNHRC, PREF, PREL, RW, UNSC  
SUBJECT: RWANDA: BRIEFING BY COMMISSION OF EXPERTS -

11. SPEAKING WITH ABRAM AFTER THE MEETING, WE SUGGESTED  
THAT THE COMMISSION CONSIDER PRESENTING ITS REQUIREMENTS  
IN TERMS OF JOBS TO BE PERFORMED, I.E., THEY NEED XX  
TEAMS OF CRIMINAL INVESTIGATORS ABLE TO CONDUCT  
INVESTIGATIONS IN THE FIELD FOR A SPECIFIED PERIOD.  
GOVERNMENTS COULD THEN DEVELOP AN APPROPRIATE MIX OF  
PEOPLE AND EQUIPMENT DRAWING ON THEIR OWN NATIONAL  
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PRACTICES AND CAPABILITIES.

12. WE ALSO ASKED ABOUT THE ROLE FORESEEN FOR FORENSIC  
INVESTIGATORS. ABRAM CITED THE INITIAL INVESTIGATION BY  
PHYSICIANS FOR HUMAN RIGHTS INVESTIGATOR CLYDE SNOW OF  
THE VUKOVAR MASS GRAVE SITE IN LATE 1992. ON THE BASIS  
OF A RELATIVELY BRIEF INVESTIGATION, SNOW ESTIMATED THE  
NUMBER BURIED IN THAT GRAVE. THE COMMISSION HOPED THAT  
SIMILAR TECHNIQUES COULD BE USED TO ESTABLISH THE  
APPROXIMATE NUMBERS BURIED IN MASS GRAVES IN RWANDA.

COMMENT

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13. AMEGA'S MIS-STEP IN CALLING FOR FIRM PLEDGES OF  
SUPPORT, AND THE LACK OF A CLEAR WRITTEN DESCRIPTION OF  
THE COMMISSION'S REQUIREMENTS, LED TO GRUMBLING AND  
CRITICISM FROM SOME WEOG COLLEAGUES.

14. THE COMMISSION IS CLEARLY FEELING ITS WAY, AND  
LACKS SUFFICIENT STAFF FAMILIAR WITH EITHER CRIMINAL

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INVESTIGATION OR THE UN'S WAYS OF DOING BUSINESS. (AT THE MOMENT, THE COMMISSION'S PROFESSIONAL STAFF CONSISTS OF BRUNA ABRAM AND ONE OTHER PART-TIME HUMAN RIGHTS CENTRE STAFFER. THE AMBASSADOR HAS INTERVENED TWICE WITH GENEVA UN HEAD PETROVSKY TO URGE VIGOROUS ACTION TO MEET THE COMMISSION'S STAFFING AND EQUIPMENT NEEDS.)

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ACTION RECOMMENDATIONS

15. THE COMMISSION DOES NOT YET APPEAR TO HAVE A CLEAR IDEA OF WHAT IT CAN AND SHOULD TRY TO DO IN ITS FINAL

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REPORT. THEY MIGHT BENEFIT FROM ANY CONSIDERED  
WASHINGTON THINKING REGARDING A REASONABLE SCOPE FOR  
THEIR INVESTIGATIONS AND FINAL REPORT.

16. WE ALSO URGE THAT THE UNITED STATES RESPOND POSITIVELY TO THE COMMISSION'S RECURRING REQUESTS TO US (REFTELS) FOR PERSONNEL SUPPORT, ESPECIALLY CRIMINAL INVESTIGATORS AND FORENSICS EXPERTS. WE UNDERSTAND (REFS C AND D) THAT DEPARTMENT MAY BE ABLE TO DETAIL A FRENCH-SPEAKING LAWYER TO SUPPORT THE COMMISSION ON ITS INITIAL TRIP, AND THAT CONSIDERATION IS BEING GIVEN TO HAVING A U.S. INVESTIGATION TEAM BEGIN WORK IN SEPTEMBER. WE ENCOURAGE BOTH EFFORTS. WE ALSO URGE THE DEPARTMENT TO CONTACT PHYSICIANS FOR HUMAN RIGHTS AND OTHER POTENTIAL PRIVATE SOURCES OF QUALIFIED PEOPLE.

17. WE WILL FORWARD THE COMMISSION'S DOCUMENT SPECIFYING THEIR REQUIREMENTS AS SOON AS IT IS RECEIVED.

18. INFORMAL TRANSLATION OF COMMISSION'S INITIAL PRESS RELEASE FOLLOWS:

BEGIN TEXT:

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EXPERT COMMISSION ON RWANDA, CONSTITUTED UNDER SECURITY COUNCIL RESOLUTION 935 OF 1994

THE EXPERT COMMISSION CHARGED WITH STUDYING AND ANALYZING INFORMATION ON GRAVE VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW AND POSSIBLE ACTS OF  
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GENOCIDE IN RWANDA HELD ITS FIRST SESSION AUGUST 18-19,  
1994. THIS EXPERT COMMISSION, ESTABLISHED BY THE  
SECRETARY-GENERAL UNDER SECURITY COUNCIL RESOLUTION 935  
(1994), IS CHAIRED BY MR. ATSU-KOFFI AMEGA, OF TOGO, A  
MEMBER OF THE AFRICAN COMMISSION OF HUMAN RIGHTS AND  
PEOPLES, WITH MRS. HABY DIENG (GUINEA), ATTORNEY GENERAL  
OF THE GUINEA SUPREME COURT, AND MR. SALIFOU FOMBA  
(MALI), PROFESSOR OF INTERNATIONAL LAW AND MEMBER OF THE  
UNITED NATIONS INTERNATIONAL LAW COMMISSION.

DURING THE SESSION, THE EXPERT COMMISSION ADOPTED RULES  
FOR ITS OPERATION, AS WELL AS A WORKING PLAN COMPRISING,  
AMONG OTHER THINGS, THE ESTABLISHMENT OF A DATA BASE AND

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	USIE-00	SA-01	PMB-00	PRM-10	PRME-01	G-00	/056W
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P 250808Z AUG 94  
FM USMISSION GENEVA  
TO SECSTATE WASHDC PRIORITY 2890  
RWANDA COLLECTIVE PRIORITY 0061

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DEPT. FOR DRL - A/S SHATTUCK, IO - A/S BENNET AND LEGAL  
ADVISER HARPER, USUN/W SCHEFFER

E.O. 12356: N/A

TAGS: PHUM, UNHRC, PREF, PREL, RW, UNSC

SUBJECT: RWANDA: BRIEFING BY COMMISSION OF EXPERTS -

THE CARRYING OUT OF IN-DEPTH INQUIRIES, ON A SELECTIVE  
BASIS, INTO GRAVE VIOLATIONS OF INTERNATIONAL  
HUMANITARIAN LAW AND POSSIBLE ACTS OF GENOCIDE COMMITTED  
IN RWANDA. THE COMMISSION ALSO ADOPTED A DOCUMENT ON  
ITS WORKING METHODS IN THESE INQUIRIES, WHICH HAVE TO  
COME UP WITH CONCLUSIONS WITHIN FOUR MONTHS, ESPECIALLY  
ON INDIVIDUAL CRIMINAL RESPONSIBILITY AS LAID DOWN BY  
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INTERNATIONAL HUMANITARIAN LAW AND THE CONVENTION ON THE  
PREVENTION AND REPRESSION OF THE CRIME OF GENOCIDE.

THE EXPERT COMMISSION ALSO ESTABLISHED CONTACTS WITH  
UNITED NATIONS MEMBER-STATES, SPECIALIZED AGENCIES, AND  
NON-GOVERNMENTAL ORGANIZATIONS. IT ALSO HELD TALKS WITH  
THE SPECIAL RAPPORTEUR OF THE COMMISSION ON HUMAN RIGHTS  
IN RWANDA, MR. RENE DEGNI-SEGUI, TO STUDY WAYS OF  
COORDINATING, AND COOPERATING IN, THEIR RESPECTIVE  
ACTIVITIES.

MOREOVER, THE EXPERT COMMISSION DECIDED TO PREPARE AN  
INTERIM REPORT WITHIN ONE MONTH, IN ADDITION TO THE  
FINAL REPORT WHICH IT HAS TO SUBMIT NOVEMBER 30, 1994,  
AND TO MAKE TWO VISITS TO RWANDA AND OTHER COUNTRIES.  
THE AIM OF THE VISITS WILL BE TO GATHER RELEVANT  
INFORMATION AND CONDUCT ON-THE-SPOT INQUIRIES. THE  
EXPERT COMMISSION INTENDS TO MAKE ITS FIRST VISIT TO  
RWANDA AND OTHER COUNTRIES IN THE REGION BEFORE THE END  
OF AUGUST. END TEXT.

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